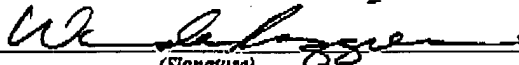


<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b> Applicant(s): Valentini			Docket No. 1663.009
Serial No. 10/823,106	Filing Date 4/12/04	Examiner Not yet known	Group Art Unit Not yet known
Invention: <b>TWISTED CLOSED LOOP JEWELRY ARTICLE</b>			
<b>RECEIVED CENTRAL FAX CENTER AUG 23 2004 OFFICIAL</b>			
<p>I hereby certify that this <u>Letter re Petition to Make Special, Copy of same, and copy of postcard</u> (Identify type of correspondence)</p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>703-872-9306</u>)</p> <p>on <u>August 23, 2004</u> (Date)</p> <p style="text-align: center;"><u>Wanda Ruggiera</u> (Typed or Printed Name of Person Signing Certificate)</p> <p style="text-align: center;"><u></u> (Signature)</p> <p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p>			

P18/REV01

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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AUG 23 2004

OFFICIAL

In re application of: Valentini  
Serial No. 10/823,106  
Filed : April 12, 2004  
Examiner: Not known  
Art Unit: Not known  
For: TWISTED CLOSED  
LOOP JEWELRY ARTICLE  
Attorney Docket No.: 1663.009

August 23, 2004

**VIA FAX (703) 872-9306**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**LETTER RE PETITION TO MAKE SPECIAL**

Sir:

Pursuant to a conversation I had with the Petitions Office, transmitted herewith is a copy of the Petition to Make Special Under MPEP §708.02, together with a copy of the return postcard as stamped by the USPTO with respect to the above-identified US patent application. We had submitted the prior art references but merely submit the list at this time.

We have not had any word from the USPTO concerning the aforementioned Petition to Make Special and ask that this Petition to Make Special be considered immediately.

Respectfully submitted,



Peter L. Berger (Reg. No. 24,570)

LEVISOHN, BERGER & LANGSAM, LLP  
805 Third Avenue, 19<sup>th</sup> Floor  
New York, New York 10022  
Tel. 212-486-7272 ext. 302  
Fax 212-486-0323  
Customer No. 04617  
H:\WLR\11\66311663.009\PTO82304.wpd

In re Utility patent application of Valentini  
For: TWISTED TENNIS BRACELET  
Our docket number: 1663.009

Please acknowledge receipt of the following:  
Cert of Express Mailing  
Utility Application Transmittal (4 pgs in dup w/auth to chrg dep acct)  
Utility Application 18 pages  
Drawings (9 pages)  
Executed Declaration (3 pgs)  
Assignment recordation form (1 pg in dup w/auth to chg)  
Executed Assignment (2 pgs)  
Petition to make special under MPEP Section 708.02  
PTO-1449, plus nine (9) US Patent references

Mailed: April 12, 2004

EV408129769US

In re Utility patent application of Valentini  
For: TWISTED TENNIS BRACELET  
Our docket number: 1663.009

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Petition to make special under MPEP Section 708.02  
PTO-1449, plus nine (9) US Patent references

Mailed: April 12, 2004

16834 U.S. PTO  
10/823106



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AUG 23 2004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor:	Valentini, Paola
Serial No.:	unknown
Title:	<b>Twisted Closed Loop Jewelry Article</b>
Filing Date:	April 12, 2004 (herewith)
Examiner:	unknown
Group:	unknown
Atty Docket No.:	1663.009

PATENT  
APPLICATION

OFFICIAL

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION TO MAKE SPECIAL UNDER MPEP § 708.02**

Sir:

Applicant hereby petitions to make the instant application special pursuant to MPEP § 708.02 for the purposes of **accelerating examination** and ultimate issuance of the patent, on the grounds of a **pre-examination search**. Nine patent references, and a PTO-1449 form are also enclosed. Please charge the undersigned's Deposit Account, No. 02-2105, in the amount of \$130 pursuant to 37 CFR §1.17(h).

U.S. Pat. Application  
Filed April 12, 2004  
Inventor: Paola Valentini  
Petition to Make Special  
Under MPEP §708.02

#### STATEMENT OF SINGLE INVENTION

The application presents claims directed to a single invention, a closed loop jewelry article having a longitudinal twist. No election is believed necessary.

#### SCOPE OF PRE-EXAMINATION SEARCH

A pre-examination search was in the USPTO by Donald E. Bullock (Reg. No. 30,734), the search agent for Applicant's undersigned patent attorney. The field of search included the following classes and sub-classes:

**Class 63**, subclasses: 3, 4, 21, 26, 28, 29.1, 38, and 39;

**Design Class 11**, subclasses: 3, 12, and 16.

The search was conducted through the EAST search system including the databases containing U.S. patents and published U.S. applications, and available foreign patents.

#### INVENTION SEARCHED

The invention for which the search was performed is a jewelry bracelet or necklace having a loop, the loop being twisted longitudinally to provide a spiral appearance, the loop having a nominal top, bottom and outer sides. Jewelry stones are mounted at the outer sides of the loop, wherein the jewelry stones twist around the loop along the longitudinal length of the jewelry bracelet or necklace. The inventive closed loop jewelry article includes repetitive elements that are coupled together to provide a train of elements with each element being slightly rotationally displaced from adjacent elements so that the elements twist longitudinally along the length of the article. More specifically, the invention searched is a twisted jewelry article, having a plurality of modules. Each module includes a main body having a longitudinal axis, a female receptacle disposed inside the main body and accessible via a rear portion of the main body, and a male tab projecting from a front portion of the main body. The male tab of one module is fittable within an adjacent of the female receptacle of an adjacent of the modules with an outer surface of the male tab being substantially contactable with an inner surface of the adjacent female receptacle. In at least a certain sub-plurality of the modules, the male tab outer surface is

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angularly offset to the female receptacle inner surface about the longitudinal axis to thereby angularly offset adjacent modules to thereby impart a longitudinal twist to the jewelry article.

#### PATENTS UNCOVERED FROM SEARCH

The following nine U.S. references were uncovered as a result of the aforementioned search:

<u>Patent/Pub. No.</u>	<u>Inventor</u>	<u>Issue/Pub. Date</u>
D481,968	Cerato	Nov. 11, 2003
2003/0106337	Rosenwasser et al.	June 12, 2003
6,629,434	Chia et al.	Oct. 7, 2003
5,592,835	Herr	Jan. 14, 1997
5,343,718	Pöll	Sep. 6, 1994
4,014,079	Camarda	Mar. 29, 1977
3,323,325	Meyer	June 6, 1967
3,192,738	Charles et al.	July 6, 1965
1,894,195	Pulver	Jan. 10, 1933

Copies of all of the cited references are provided herewith, along with a PTO-1449 form.

#### DISCUSSION OF UNCOVERED PATENTS

U.S. Design Patent No. D481,968 to Cerato discloses the design for a jewelry chain having standard links, not a bracelet or necklace. This chain does not have a top, bottom, or sides; rather it consists of interlocking links that are identical and disposed either at substantially 90° (Figs. 1-3) or an acute angle (Figs. 4-6) from each other. There are no jewels mounted anywhere on this chain, nor is there the suggestion of same. This prior art patent does not disclose the structure and configuration of the present invention as claimed herein.

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Inventor: Paola Valentini  
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U.S. Patent Appl'n Pub. No. 2003/0106337 (Appl'n. No. 10/314,541) to Rosenwasser et al. discloses another jewelry chain made from a series of links made from spiral-shaped coils (page 1, ¶ 0004, lines 1-2). After a standard coil is formed on a mandrel, each individual spiral in the coil is rotated or twisted relative to its neighbor (page 1, ¶ 0005, lines 4-6). Specifically, as each spiral portion 21-29 (see Fig. 2) is removed from mandrel 18, each is rotated or twisted a certain angle with respect to the immediately preceding spiral portion still on mandrel 18 (page 2, ¶ 0022, lines 5-11). Such rotation is made permanent. (¶ 0022, line 16). If the spirals have been provided with facets initially, then the facets no longer line up but are instead offset as shown in Fig. 5. (page 2, ¶ 0023, lines 3-7). There are no jewelry stones mounted anywhere on this structure, nor can there realistically be deemed to be top, bottom, and sides of the radially symmetrical spirals. This prior art patent does not disclose the structure and configuration of the present invention as amended herein.

The remaining patents disclose jewelry articles having repeating elements that are identically configured and do not twist, and therefore appear to be less relevant than those mentioned above and need not be discussed in detail.

#### DISCUSSION OF CLAIMS

None of the aforementioned prior art patents, discloses, teaches, or suggests the dispensing adapter for pressurized containers of the present invention, as set forth in the claims as amended herein. For example, Claim 1 recites

A jewelry bracelet or necklace comprising:  
a loop, said loop being twisted longitudinally to provide a spiral appearance, said loop having a nominal top, bottom and outer sides; and  
jewelry stones mounted at said outer sides,  
wherein said jewelry stones twist around said loop along the longitudinal length of said jewelry bracelet or necklace.

The teachings of the claimed longitudinal twist of jewelry stones in a bracelet or necklace is found in the specification on page 5, line 12 *et seq.* That the loop (made of individual modules) has multiple potential ornamental surfaces (e.g., the claimed top, bottom, and outer

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sides) can be found in the specification at page 7, lines 15-26, for example. The more specific longitudinal rotation-forming structure as claimed in Claim 14 —i.e., that each module has a male tab and a female receptacle angularly offset from each other— is described in the specification at page 6, line 4 - page 7, line 14.

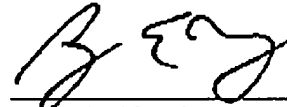
These features are not disclosed or suggested in the prior art.

Favorable consideration on the merits is respectfully requested.

Dated: April 12, 2004

Levisohn, Berger & Langsam, LLP  
757 Third Avenue, Suite 2500  
New York, New York 10017  
(212) 486-7272, x304

Respectfully submitted,



Barry E. Negrin  
Reg. No.: 37,407  
Attorney for Applicant



<b>INFORMATION DISCLOSURE CITATION</b> <i>(Use several sheets if necessary)</i>	Docket Number (Optional) <b>1663.009</b>	Application Number <b>n/a</b>
	Applicant(s) <b>Valentini</b>	
	Filing Date <b>April 12, 2004</b>	Group Art Unit <b>n/a</b>

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		D481,968	11/11/2003	Cerato			
		2003/0106337	06/12/2003	Rosenwasser et al.			
		6,629,434	10/07/2003	Chia et al.			
		5,592,835	01/14/1997	Herr			
		5,343,718	09/06/1994	Pöhl			
		4,014,079	03/29/1977	Camarda			
		3,323,325	06/06/1967	Meyer			
		3,192,738	07/06/1965	Charles et al.			
		1,894,195	01/10/1933	Pulver			

## FOREIGN PATENT DOCUMENTS

REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.